

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ALONZO JOHNSON, R.,
Plaintiff,

vs.

Case No. 1:19-cv-384

Dlott, J.
Bowman, M.J.

OHIO DEPARTMENT OF REHABILITATION
AND CORRECTIONS, et al.,
Defendants.

**REPORT AND
RECOMMENDATION**

Plaintiff Alonzo Johnson, an inmate at the Chillicothe Correctional Institution, filed a prisoner civil rights action under 42 U.S.C. § 1983 in this Court. In light of plaintiff having had three or more complaints dismissed for failure to state a claim upon which relief may be granted and not satisfying the statutory exception set forth in 28 U.S.C. § 1915(g), the undersigned recommended that plaintiff be ordered to pay the full \$400 dollar filing fee within thirty days. (Doc. 2). On June 26, 2019, the Court adopted the undersigned's recommendation and ordered plaintiff to pay the full filing fee within thirty days. Plaintiff was notified that "failure to pay the \$400 fee within 30 days will result in the dismissal of this action." (Doc. 6).

To date, more than thirty days after the Court's June 26, 2019 Order, plaintiff has failed to comply with the Order of the Court.

"District courts have the inherent power to sua sponte dismiss civil actions for want of prosecution to manage their own affairs so as to achieve the orderly and expeditious disposition of cases." *Link v. Wabash R.R.*, 370 U.S. 626, 630–631 (1962). *See also Jourdan v. Jabe*, 951 F.2d 108, 109 (6th Cir. 1991). Failure of a party to respond to an order of the court warrants invocation of the Court's inherent power. *See Fed. R. Civ. P. 41(b)*. Accordingly, this case should be dismissed for plaintiff's failure to comply with the Court's June 26, 2019 Order. *In re Alea*, 286 F.3d 378, 382 (6th Cir. 2002).

It is therefore **RECOMMENDED** that this matter be **DISMISSED** for lack of prosecution.

IT IS SO RECOMMENDED.

s/ Stephanie K. Bowman
Stephanie K. Bowman
United States Magistrate Judge

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ALONZO JOHNSON, R.,
Plaintiff,

vs.

Case No. 1:19-cv-384

Dlott, J.
Bowman, M.J.

OHIO DEPARTMENT OF REHABILITATION
AND CORRECTIONS, et al.,
Defendants.

NOTICE

Pursuant to Fed. R. Civ. P. 72(b), **WITHIN 14 DAYS** after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. This period may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based in whole or in part upon matters occurring on the record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon, or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections **WITHIN 14 DAYS** after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).